

Council Minutes November 15, 2016

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 4:30 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 15th day of November, 2016 with the following members present:

Jim Griffin	Mayor
Ray Champney	Council Members
Steve Farco	
Roger Fisher	
Dave Gebhart	
Rusty Sartor	
Roy W. Turner	

constituting a quorum.

Staff present included:

Roger Gibson	City Manager
Cathy Cunningham	City Attorney
Michael Wells	City Secretary
Sean Fay	Fire Chief
Natalie Foster	Public Information Officer
Jeff Gibson	Police Chief
Wendy Hartnett	Special Events Manager
Meg Jakubik	Strategic Services Manager
Jill McAdams	Human Resources Director
Kenny Overstreet	Public Works Director
Maria Redburn	Library Director
Emilio Sanchez	Planning Manager
Bill Syblon	Economic Development Director

COUNCIL CHAMBER WORK SESSION

Mayor Griffin called the Work Session to order at 4:31 p.m.

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following items on consent: 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22.

Fire Chief Sean Fay presented information regarding Item #10, which is for a maintenance contract that is budgeted for and in which the City participates every year. The cost is split between six cities as a cost- saving measure. Not participating in the contract would increase the annual cost to the City by \$13,000. In answer to questions from Council, Chief Fay stated that there is annual maintenance that has to be done on the system's infrastructure, which keeps the system working at peak performance; that the contract is for every five years and the costs are examined on a five-year basis; and that the

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proposal before Council is the second year of the current contract.

In answer to questions regarding Item #12, Chief Fay stated that for the Emergency Medical Services (EMS), the delivery of services is evidence-based medicine; that Dr. Roy Yamada, the Fire Department's Medical Control Director, uses evidence-based research to set protocols; that for cardiac victims, that the current standard-of-care is delivering electricity in a mono-phasic form, but bi-phasic form is more critical to patient survival; that leading edge research indicates bi-phasic 360 Joules is the greatest contributing factor of successfully defibrillating a patient in cardiac arrest and Physio-Control is the only vendor that offers that ability due to patents; and that staff has seen a lot of success with the defibrillators.

Police Chief Jeff Gibson presented information regarding Items #13 through #17. He stated when the budget was being approved, the Police Department focused on employee compensation and reducing costs to assist in offsetting the increase in insurance premiums. When looking at those numbers, there was not sufficient funding for replacing vehicles and aging equipment. Staff looked at lease options, which are actually more of a payment plan as the City will become direct owners of the products being leased upon signing. Of the items being discussed, certain vehicles would be paid for through the lease-purchase, while others would be purchased outright. Item #13 is for the lease-purchase of seven new vehicles for the Patrol Division. The fleet model is being changed from a Chevrolet to a Ford platform due to a \$7,000 difference in price and increased safety with the all-wheel drive in the Ford Explorer. The purchase is all-encompassing except for radars, radios, and computer mounts, which is something the City has been unable to do in the past. The lease-purchase model has freed up surplus money to start replacing aging equipment and to put the Department on a traditional replacement schedule. Item #14 is to lease-purchase radar units. In previous years, they have had the ability to purchase five new radar units, putting them in the position that they have ten current units ranging from eight to 18 years of age. The current life expectancy of a radar unit is seven years, so the Department is requesting to lease ten new units to outfit some of the newer vehicles, as well as backline vehicles, that have aging equipment. With the surplus of funds, staff performed a needs assessment on the most critical vehicles needing to be replaced. Vehicles for the Traffic Division are not being leased-purchased because of their longevity; while Patrol Division vehicles are on the road 24/7, Traffic Division vehicles are on the road 40 hours a week and have a life expectancy of eight years. Patrol Division vehicles spend two years on the frontline, then are rotated to backline for two years, and finally rotated to other divisions within the Police Department or other departments within the City. It was determined that the outright purchase of the two Traffic Division vehicles is a better use of funds. For Animal Control, the truck needs to be a three-quarter ton truck in order to pull the adoption trailer. The current truck is 11 years old and if it goes down, there is nothing to get the trailer out to the public and events. The truck would be wrapped to match the trailer, which staff would be reluctant to do with an 11 year old truck. The wrap would have no fiscal impact as it would be paid from the Animal Shelter Donation Fund. The current K9 Unit vehicle, which was a former undercover truck purchased from Tarrant County, has surpassed its reliability, costing more money to operate. A new K9 Unit would be purchased, with the current one moving to the backline. In answer to questions from Council, Chief Gibson stated that Traffic Division vehicles have cost a lot of money to keep on the street, savings from which will offset a lot of the finance costs for the lease; that all the equipment being purchased will replace aging equipment; that by doing the lease-purchase, equipment would be replaced when it reaches its life expectancy; that moving to the same operating vehicle system would reduce the workload of fleet maintenance, as they become experts in the vehicles being driven; that all but the undercover vehicles would be moving to a Ford platform as they are purchased from grants; and that it would cost \$300,000 to purchase the vehicles outright.

Technical Services Manager Debbie Carlisle presented information regarding Item #18. The City is required to report annually on the number of forfeitures received and income earned off of the forfeitures, as well as expenditures made during the fiscal year. For the previous fiscal year, there was no activity, and the ending balance between the funds is approximately \$15,600.

Public Works Director Kenny Overstreet presented information regarding Item #19, which is to purchase

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a Ford Escape, a Ford F350 cab and chassis, and a Ford F250 truck with a utility bed using the BuyBoard Purchasing Agreement. The Ford Escape would be used by the Engineering Division, replacing a three-quarter ton truck, which will be handed down to the Environmental Specialist. Unit 183, which is currently in the Wastewater Department, has 131,000 miles and 146 decision tree points on it, and will be either given to another department or sent to auction. Staff is looking at replacing the F250 truck and putting it in the standby fleet. Unit #101, a 2002 Chevrolet three-quarter ton truck, has a Blue Book value of \$2,400, while the transmission recently went out costing \$3,000 to repair. Staff would like to send that truck to auction.

Mr. Overstreet presented information regarding Item #20, which is to purchase new F150 truck. Their customer service employee is currently driving a three-quarter ton super-cab truck. Staff is looking at replacing with a half-ton Ford super-cab truck that has better gas mileage. The current truck would be put into the standby fleet. Unit 211, a 2001 three-quarter ton Chevrolet Truck would then be sent to auction.

Mr. Overstreet presented information regarding Item #21. In 2007, staff approached Council to enter into a Sanitary Sewer Overflow Initiative (SSOI) agreement with the Texas Commission on Environmental Quality (TCEQ) due to inflow and outflow issues. The City was put under a five-year plan to perform cleaning, manhole inspections, and \$1M in line replacements. Two years previously, the City filed for a five-year extension of the agreement, and were granted a two-year extension with same requirements by the TCEQ. That agreement has been completed and \$2M in renewals were done. Staff is asking for an additional five-year extension to stay under the SSOI and finish several projects identified by two studies, including four projects within the 19.1w sewer basin. Inflows and outflows have been reduced by 65 percent. In answer to questions from Council, Mr. Overstreet confirmed that the City would still be under the \$1M requirement, which staff believes to be attainable. He stated that the City has spent over \$7M in renewals so far; that if the agreement is not extended, the City is automatically put under a mandate to do monthly reporting to the TCEQ, including reports on all inflows and outflows after rain events, and to continue showing that the City is doing renewals; that if the City did not do any renewals and there was an increase in inflow to the metering stations or overflows, the City could be fined; that in 2014, all cities in Texas were put under a mandate to do monthly reporting; that with the SSOI agreement, the only time the City has to report is if there is an overflow into the sewer; and that under the agreement, the City does have to report to the TCEQ everything it has done the previous two years, including renewals and the amount of money spent on them, the number of mains cleaned, and the number of manhole inspections and repairs.

Councilmember Fisher discussed Item #22. In July, Council passed a no-feeding ordinance for public parks and spaces. It was determined that it was in the best interest of nature overall to not feed the wildlife. A problem has been created that people are no longer feeding birds in the Boys Ranch Park but in the front yards of houses along the streets in and around the Park. This has caused a disturbance for those that live along those streets and has implications for the City overall when it comes to feral and at-large animals. By feeding these animals in places where they should not be fed, more animals are encouraged to come to those areas. Staff was asked to look into creating an ordinance that is enforceable and makes sense, but respects the personal property rights of those feeding animals in their backyards, as well as responsible pet owners, and those that do not want feral animals on their property. Chief Gibson stated that the motivating factor behind the ordinance is to be a compliment to the no-feeding ordinance for the City's parks, which originated from the adverse effects from the overpopulation of animals. In regard to the versions of the ordinance presented to Council, staff is in support of Version B, which would be a tool for Animal Control staff and would be enforceable. An additional burden on staff would not be created and cases put in Municipal Court could be prosecuted. The animal population and the number of deceased having to be picked up by Animal Control would be reduced. There was discussion on exerting too much regulation on private property; houses that have unfenced backyards; bird feeders and traps for stray animals; and selective enforcement. In answer to questions from Council, Chief Gibson stated that there are citizens that feed stray and non-owner occupied animals, who then

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spill over onto neighboring properties. There was discussion on having a public nuisance law instead to address particular instances where there is animal waste, noise or odor problems. In answer to further questions from Council, Chief Gibson stated that staff does not have the ability to take on selective enforcement; that staff tries get compliance through cooperation, a component of which is education; that clarity was another factor for creating the ordinance; that the ordinance is the best solution to reduce the amount of feedings throughout the entire City and to educate the citizens; that staff does not want to have to take enforcement action, but if somebody does not comply, they will have that tool; that the ordinance deals specifically with front yards; that if the ordinance encompassed backyards, Fourth Amendment issues would be created and staff would have to perform long-term investigations to obtain warrants to enter those areas; that overpopulation occurs when there is a constant food source available; that another motivating factor for creating the ordinance was the number of deceased animals struck by vehicles that staff has to pick up from the roadways because of the overabundance of animals; that staff has not had to take any enforcement action for feeding at the parks and has seen nothing that would violate the new ordinance; that staff has done a great job of making citizens aware of the no-feeding ordinance at the parks; and that a garage does not constitute the front yard. There was discussion on the health and well-being of citizens and the ordinance being supported by staff. In answer to questions from Council, Chief Gibson stated that the initial numbers received by the City showed the Boys Ranch Lake to be overpopulated; and that there is still an overabundance of ducks and wildlife at the Lake. There was discussion on staff exercising discretion as far as enforcement; laws that may overreach into one person's personal property rights protecting somebody else's rights from infringement; and providing more tools to staff to control the animal population in the City. Chief Gibson stated that the ordinance provides clarity to staff when they encounter violations and provides the community with language which is understandable; that it makes sense for the ordinance to be in Chapter 18; and that there is no evidence that the Police Department is heavy-handed with any of the ordinances. There was discussion of responsible pet ownership being the purpose of the animal control system and laws; and other cities having similar laws. City Manager Roger Gibson stated that neither version of the ordinance is inclusive of bird feeders and that there are other provisions in the City's Code of Ordinances for odor, noise, unattended animals and animals at large, which includes cats. There was discussion on building in exclusions for bird feeders and for baiting traps in the ordinance. City Attorney Cathy Cunningham stated that song birds and wild birds are not included in the definition for wildlife, and so are not captured by the ordinance. There was discussion on odor, overpopulation of animals, and damage to neighboring homes, including landscaping, by animals; humans providing food sources for animals being detrimental; that traps are provided by Animal Control; confusion being caused by including an exclusion for birdfeeders; and creating an exclusion for traps creating a loophole, which goes against responsible pet ownership. Council was of the consensus to consent Version B of the ordinance.

- **Report on recent Human Resources Department activities.**

Human Resources Director Jill McAdams gave a presentation on Human Resources (HR) Department activities. The Department is full-service and is responsible for 383 employees, 22 retirees and three COBRA recipients. The previous fiscal year, they processed 102 background checks, 78 physicals and 182 drug screens; produced 68 job postings; and processed 29 payrolls. They sponsored training attended by 405 employees, 88 percent of whom indicated the training was either good or excellent. They on-boarded 148 new employees, a majority of which were seasonal employees; off-boarded 146 employees, including 101 seasonal employees; and reviewed 87 disciplinary documents, of which 1.57 percent resulted in a formal grievance process. The total turnover for the fiscal year was 9.32 percent, of which 7.89 percent was avoidable and 1.63 percent was unavoidable. Accomplishments included hiring two new staff members; training three staff members in new job duties; successfully transitioning to the Logos system; completing the migration of 401 accounts; implementing the final phase of the Kronos timekeeping system; conducting staff audits of all aspects of employee files and vendor systems; reporting to the IRS as mandated by the Affordable Care Act; working with all departments to streamline the hiring and interview processes with the addition of a staffing and development coordinator; and

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holding an employee in-service training day. Key projects for the upcoming year include completing the Kronos timekeeping build; an interlocal agreement with the cities of Colleyville and Watauga on a request for proposal for broker services; meetings with other cities to explore combined employee insurance purchasing; keeping the Employee Insurance Committee active year-round to educate and inform employees on insurance costs and utilization; continuing to focus on employee training and development; looking at alternatives to the current occupational health provider; outsourcing the employee wellness program to Baylor Scott and White using the funds provided by Cigna; reviewing and revising the employee handbook as necessary; and researching and implementing a City-wide succession plan. In answer to questions from Council, Ms. McAdams stated that the Kaner medical clinic does not have somebody that is a true occupational health physician. There was discussion on doing a request for proposal for the employee wellness program.

Mayor Griffin adjourned the Work Session at 5:58 p.m.

EXECUTIVE SESSION

To convene in the conference room, if time permits, in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1 Mobil Addition-Bedford.**
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Williams, TW Survey A1735 Tr 6C02, also known as, 1805 L. Don Dodson Drive.**
- c) Pursuant to Section 551.074, personnel matters - City Manager search**

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1 Mobil Addition-Bedford; Section 551.087, deliberation regarding economic development negotiations relative to Williams, TW Survey A1735 Tr 6C02, also known as, 1805 L. Don Dodson Drive; and Section 551.074, personnel matters - City Manager search, at 6:03 p.m.

Council reconvened from Executive Session at 6:25 p.m.

Any necessary action to be taken as a result of the Executive Session will occur during the Regular Session of the Bedford City Council Meeting.

REGULAR SESSION

The Regular Session began at 6:32 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order. He stated he recently attended the 100th birthday party for Naomi "Smitty" Herndon, who is still active in the community, making trips to the Police and Fire Departments, and making donations to them as well.

INVOCATION (Pastor Nosa Onaiwu, Arise and Shine International Ministries)

Pastor Nosa Onaiwu of Arise and Shine International Ministries gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flags of the United States and Texas were given.

ANNOUNCEMENTS/UPCOMING EVENTS

Public Information Officer Natalie Foster reported citizens can bring in a frozen turkey to the Central Fire Station the following day to help the Northeast Emergency Distribution Center feed families. The City of Bedford is competing in the 6Stones "Pulling for Hope Challenge," in which the HEB School District, Classic Chevrolet, The Thompson Group, Redi-Mix Concrete and the cities of Hurst, Euless and Bedford all compete to raise money to help local kids for Christmas. Texas Roadhouse will host a "Team Bedford" fundraiser on Thursday from 3:00 p.m. to 7:00 p.m. Ten percent of the total sales will be donated and Mayor Griffin will be there to serve the patrons. The actual bus pull will be at 10:00 a.m. on Friday, December 2, 2016 at Pennington Field. Also on Friday December 2, 2016, will be the Annual Christmas Tree Lighting Event. From 4:00 p.m. to 5:00 p.m. the Library will have cookie decorating as well as hayrides to the Old Bedford School, where Santa will arrive around 6:00 p.m. to light up the tree. There will also be refreshments, karaoke, bounce houses and an opportunity to take pictures with Santa Claus. There is also a Facebook contest to help Santa light the tree.

OPEN FORUM

Nobody chose to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Champney, seconded by Councilmember Farco, to approve the following items by consent: 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and Version B of Item #22.

Motion approved 7-0-0. Mayor Griffin declared the motion carried.

COUNCIL RECOGNITION

1. Employee Service Recognition

The following employees received recognition for dedicated service and commitment to the City of Bedford:

Kevin Jackson, Public Works - 5 years of service
Andrew Versocki, Police Department - 10 years of service

2. Proclamation recognizing the 2016 Fire Safety Poster Contest Winners.

Mayor Griffin presented proclamations recognizing Fire Safety Poster Contest Winners to the following students:

Marijn Koons, First Grade - Bedford Heights Elementary
Erin Henry, Second Grade - Bedford Heights Elementary
Katherine Wallace, Third Grade - Meadow Creek Elementary
James Ignacio, Fourth Grade - Meadow Creek Elementary
Lainey Parker, Fifth Grade - Bedford Heights Elementary
Natalia Rich, Sixth Grade - Bedford Heights Elementary

3. Presentation of the North Central Texas Trauma Regional Advisory Council Heart Safe Community Award.

Mayor Griffin stated that the City received a Heart Safe Community Award from the Texas Trauma Regional Advisory Council at a ceremony October 11, 2016. He read the award naming the City a Heart

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Safe Community and displayed the signs that will be put up around the City. Deputy Fire Chief Bobby Sewell stated that the City is known nationally for its accomplishments. He introduced Dr. Roy Yamada, the Fire Department's Medical Director, Dr. Michael Duran, the chief of cardiology at HEB Hospital, Dr. Nisarg Shah, the medical director over the emergency room at HEB Hospital, and Angie Perreault, the cardiac coordinator at HEB Hospital. They, along with the Fire Department, have worked together on programs that have set a standard the nation goes by. The Heart Safe Community is a new program that recognizes the City for its accomplishments in Emergency Medical Services (EMS). The award not only recognized how good the hospital and firefighter/paramedics were, but encompassed the City as a whole, including restaurants, community access and public education programs. Bedford exceeded the other four cities in the points earned, thanks in part to the support of Council and other community groups. He stated that Dr. Yamada moved the Department to new protocols and technology, and they are now on "evidence-based" medicine. On August 6, 2016 they were able to save a patient under the new system. He introduced the patient, Tawny Kidwell, who stated that she would not be there if not for her coworkers, EMS staff and hospital workers, and she is thankful to all of them. Deputy Chief introduced the crew who attended to Ms. Kidwell, including Lieutenant Walt Greenwade, Field Training Officer Lee Ferguson, Fire Engineer Ron Butler, Firefighter Josh Terbush, and Firefighter Jack Ventrca. Dr. Yamada discussed holding life and death in one's hands and that it is only possible because of citizens who pay taxes to support the Fire Department and the Council for their passion and support. He stated that everything that had to be done was done. He discussed the procedures done to save Ms. Kidwell's life, including cardio pumps used to save the brains of heart patients. Dr. Duran stated the hospital is proud of the relationship with the local EMS and they work diligently to foster a cooperative relationship. They know that EMS will get the patient to the hospital as efficiently and safely as possible, where hospital staff will take care of the patient as quickly as they can in a life-threatening situation. He stated the ability to save lives is a privilege shared with EMS. Dr. Yamada stated that a fire engine always follows an ambulance so there are five paramedics to save a life. Ms. Perreault stated she was so honored to work with EMS, and to live and work in the City. There are only four cities in Texas that are Heart Safe Communities, and she is proud to have worked with Deputy Chief Sewell to get the program off the ground. She stated it is important that the community knows it has walking trails, EMS, and 42 heart-friendly restaurants.

APPROVAL OF THE MINUTES

4. Consider approval of the following City Council minutes:
 - a) October 25, 2016 regular meeting

This item was approved by consent.

NEW BUSINESS

5. **Public hearing and consider an ordinance to amend the City of Bedford Zoning Ordinance Number 2275, specific to Section 3.1.G. Schedule of Permitted Uses, Services, Health and Athletic Clubs, allowing for the use to be added to the Industrial (I) zoning category as a use allowed by right; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. (A-042)**

Planning Manager Emilio Sanchez presented information regarding this item, which is for a change in the Permitted Use Table in the Zoning Ordinance to allow for athletic and health clubs in industrial districts by right. Those uses are currently allowed in light commercial and heavy commercial districts by right, and service commercial districts with a specific use permit. A cross-fit gym recently requested to rezone a piece of property that was zoned industrial, and staff thought it more prudent to adjust the Zoning Ordinance rather than change the limited industrial areas in the City. In answer to questions from Council, Mr. Sanchez stated that if approved, the applicant would just need to apply for a certificate of occupancy; that he did not see a reason for the use not to be in an industrial district and that cross-fit gyms typically

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choose more industrial areas; and that currently, this type of use would not be allowed in an industrial district at all.

Mayor Griffin opened the public hearing at 7:14 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:14 p.m.

Motioned by Councilmember Turner, seconded by Councilmember Fisher, to approve an ordinance to amend the City of Bedford Zoning Ordinance Number 2275, specific to Section 3.1.G. Schedule of Permitted Uses, Services, Health and Athletic Clubs, allowing for the use to be added to the Industrial (I) zoning category as a use allowed by right; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. (A-042)

Motion approved 7-0-0. Mayor Griffin declared the motion carried.

- 6. Public hearing and consider an ordinance to rezone Lot 1A, Block 1, The Oaks (Bedford) Addition, located at 1825 Airport Freeway (1701 Airport Freeway) from Planned Unit Development (PUD) to amended Planned Unit Development/Specific Use Permit/Indoor Amusement Center (PUD/SUP), specific to Section 3.2.C(13)g of the City of Bedford Zoning Ordinance, allowing for Escape Pro, LLC to operate an indoor amusement center. The property is generally located north of Airport Freeway and west of Parkwood Drive. (PZ-SUP-2016-50056)**

Mr. Sanchez presented information regarding this item, which is for a Specific Use Permit for 1825 Airport Freeway, allowing Escape Pro, LLC to operate an escape room in the commercial strip center along Highway 183 between Forest Ridge Drive and Parkwood Drive. The Planning and Zoning Commission recommended approval of this item at their October 27, 2016 meeting. He stated the applicant was not the same operator that came to Council previously.

Mayor Griffin opened the public hearing at 7:16 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:16 p.m.

Motioned by Councilmember Fisher, seconded by Councilmember Gebhart, to approve an ordinance to rezone Lot 1A, Block 1, The Oaks (Bedford) Addition, located at 1825 Airport Freeway (1701 Airport Freeway) from Planned Unit Development (PUD) to amended Planned Unit Development/Specific Use Permit/Indoor Amusement Center (PUD/SUP), specific to Section 3.2.C(13)g of the City of Bedford Zoning Ordinance, allowing for Escape Pro, LLC to operate an indoor amusement center. The property is generally located north of Airport Freeway and west of Parkwood Drive. (PZ-SUP-2016-50056)

Motion approved 7-0-0. Mayor Griffin declared the motion carried.

- 7. Public hearing and consider a resolution approving a site plan for a KFC/Taco Bell Renovation. The property is zoned Heavy Commercial (H) and located in the Master Highway Corridor Overlay District (MHC) specific to Section 4.18 of the City of Bedford Zoning Ordinance. The address is 1505 Brown Trail and the legal description is Block 2, Lot 2B, Airport Freeway Center Addition. The property is generally located south of Airport Freeway and west of Brown Trail. (PZ-SP-2016-50054)**

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Mr. Sanchez presented information regarding this item, which is a resolution approving the site plan for remodeling the exterior of the existing Kentucky Fried Chicken(KFC)/Taco Bell building at 1505 Brown Trail. KFC has gone through a rebranding process where the exterior of the building is proposed to look similar to a bucket of KFC chicken. The site lies within the Master Highway Corridor Overlay District (MHC), and as the building can be seen from the feeder road, staff thought it prudent to bring the site plan to the Planning and Zoning Commission and Council for approval. The building is currently cream-colored and the new prototype is bright red and white striped. The other side of the building will remain cream-colored for the Taco Bell. The Planning and Zoning Commission unanimously recommended approval of this item at their October 27, 2016 meeting. There was discussion on the color scheme being KFC's national brand standards and the KFC on Harwood Road being similarly remodeled. In answer to questions from Council, Mr. Sanchez stated that staff spoke with the applicant and emailed them the language from the MHC ordinance, but they still wanted to move forward in asking for the request. There was discussion on the MHC; the exceptions made for the Taco Bell building on Harwood Road and the purple color being limited to a small accent; Council making special provisions to ignore the MHC through the site plan process; and the applicant presenting other options with less red. In answer to questions from Council, Mr. Sanchez stated the MHC is 200 feet from the feeder road and the site is on the outer edge of the MHC; that the building cannot be seen from the travel lanes of the highway but only from the feeder road and only between two buildings; that looking from Brown Trail, there are three buildings between the building and the highway; that the building itself is outside of the 200 feet, while the parking lot is within the 200 feet; and that the MHC is from the right-of-way line to the edge of the property.

Mayor Griffin opened the public hearing at 7:25 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:25 p.m.

In answer to questions from Council, Development Director Bill Syblon stated that staff already knew what the right-of-way lines were going to be with the highway widening and the he believes that the MHC was built off of the new right-of-way lines.

Motioned by Councilmember Turner, seconded by Councilmember Champney, to approve a resolution approving a site plan for a KFC/Taco Bell Renovation. The property is zoned Heavy Commercial (H) and located in the Master Highway Corridor Overlay District (MHC) specific to Section 4.18 of the City of Bedford Zoning Ordinance. The address is 1505 Brown Trail and the legal description is Block 2, Lot 2B, Airport Freeway Center Addition. The property is generally located south of Airport Freeway and west of Brown Trail. (PZ-SP-2016-50054)

Motion approved 6-1-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Sartor, Councilmember Gebhart, Councilmember Champney, Councilmember Farco and Councilmember Turner.

Voting in opposition to the motion: Councilmember Fisher

8. Consider a resolution of the City Council of the City of Bedford, Texas approving an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, Armstrong Central Bedford, LLC.

Mr. Syblon presented information regarding this item, which is an agreement with Armstrong Development to bring a Chipotle restaurant to the south-east corner of Highway 183 and Central Drive.

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He stated it is a very challenging site, and it took a lot of work with the developer and a lot of creativity from staff to make the project happen.

Motioned by Councilmember Gebhart, seconded by Councilmember Champney, to approve a resolution of the City Council of the City of Bedford, Texas approving an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, Armstrong Central Bedford, LLC.

Motion approved 7-0-0. Mayor Griffin declared the motion carried.

- 9. Consider a resolution of the City Council of Bedford, Texas, authorizing the submission of a grant application to the Assistance to Firefighters Grant administered by the Department of Homeland Security, Federal Emergency Management Agency's Grant Programs Directorate.**

This item was approved by consent.

- 10. Consider a resolution authorizing the City Manager to continue the multi-year agreement between the City of Bedford, Texas and Motorola Solutions, Inc. in the amount of \$308,288.88 for support and maintenance of the trunk radio infrastructure and for the trunk radio system manager.**

This item was approved by consent.

- 11. Consider a resolution authorizing payment to the City of North Richland Hills, in the amount of \$32,347.80, to provide continuous maintenance for subscriber radios and auxiliary equipment.**

This item was approved by consent.

- 12. Consider a resolution authorizing the City Manager to purchase medical equipment and related components from Physio-Control, Inc., in the amount of \$108,441.22.**

This item was approved by consent.

- 13. Consider a resolution authorizing the City Manager to enter into a four-year Finance Contract/Lease-to-Purchase Agreement with Government Capital Corporation for the purpose of financing seven 2017 replacement patrol vehicles, resulting in an annual payment of \$77,758. The vehicles will be obtained from Sam Pack's Five Star Ford, utilizing Texas SmartBuy Contract, State of Texas 071-072-AT 2014.**

This item was approved by consent.

- 14. Consider a resolution authorizing the City Manager to enter into a four-year Finance Contract/Lease-to-Purchase Agreement with Government Capital Corporation for the purpose of financing ten replacement radars, resulting in an annual payment of \$5,817.83. The radars will be obtained from Stalker Radar, utilizing Contract No. EF04-15 through the Houston-Galveston Area Council.**

This item was approved by consent.

- 15. Consider a resolution authorizing the City Manager to purchase two 2017 replacement traffic vehicles in the amount of \$88,401.80 from Sam Pack's Five Star Ford, utilizing Texas SmartBuy Contract, State of Texas 071-072-AT 2014.**

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This item was approved by consent.

- 16. Consider a resolution authorizing the City Manager to purchase a 2017 replacement Animal Control truck and transport box in the amount of \$41,489 from Sam Pack's Five Star Ford, utilizing Texas SmartBuy Contract, State of Texas 072-A1.**

This item was approved by consent.

- 17. Consider a resolution authorizing the City Manager to purchase a 2017 replacement K-9 Unit vehicle in the amount of \$43,727 from Sam Pack's Five Star Ford, utilizing Texas SmartBuy Contract, State of Texas 071-072-AT 2014.**

This item was approved by consent.

- 18. Consider a resolution authorizing the Mayor to certify the Equitable Sharing Agreement and Certification as required by the United States Department of Justice.**

This item was approved by consent.

- 19. Consider a resolution authorizing the City Manager to purchase a Ford Escape, a Ford F350 cab and chassis, and a Ford F250 with utility bed in the amount of \$101,636.25 through Silsbee Ford, utilizing the BuyBoard Cooperative Purchasing.**

This item was approved by consent.

- 20. Consider a resolution authorizing the City Manager to purchase a Ford F150 in the amount of \$22,039 through Silsbee Ford, utilizing the Texas Procurement and Support Services (TPASS) Cooperative Purchasing Program.**

This item was approved by consent.

- 21. Consider a resolution authorizing the City Manager to request from the Director of the Texas Commission on Environmental Quality (TCEQ), an extension of the Sanitary Sewer Outflow (SSO) Initiative for up to five years.**

This item was approved by consent.

- 22. Consider an ordinance amending Chapter 18 "Animals" of the City of Bedford Code of Ordinances by adding definitions to Section 18-1. "Definitions"; by adding Section 18-135. "Feeding Prohibited;" providing a penalty; providing a severability clause; and declaring an effective date. **Item requested by Councilmember Roger Fisher**

This item was approved by consent.

- 23. Report on most recent meeting of the following Boards and Commissions:**

✓ **Animal Shelter Advisory Board - Councilmember Fisher**

Councilmember Fisher reported that Animal Shelter Advisory Board Member Barbara Richardson recently passed away. She was a very special person, and was a tireless advocate for animals, the City, and the Animal Shelter. She would take animals to get well on her own time and money, and would make unadoptable animals adoptable. The City has not met a greater animal advocate and she will be missed by the City, her friends, the Animal Shelter, and the animals. A memorial service is scheduled for

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December 10, 2016 at Concordia Lutheran Church at 9:00 a.m. When the time is appropriate, he would like to see the Animal Shelter renamed as the City of Bedford Barbara Richardson Animal Shelter as a tribute to her and her lifelong work advocating for the animals in the City.

✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner reported that the Commission, along with himself and Mayor Griffin, had the opportunity the previous Saturday to give out three Business Beautification awards. Those business are very appreciative of these awards and are proud to show off the signs the City allows them to put up for a month after the award. These awards are presented at least twice a year.

✓ **Community Affairs Commission - Councilmember Farco**

Councilmember Steve Farco recognized Commission Members in attendance including Sal Caruso, Margaret Hall, and Steve Grubbs. Over the previous two months, they hosted a successful block party and great residential and business roundtables. Their next meeting will be on Thursday.

✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney reported that the Commission met the previous night. He discussed the success of Central Arts of Bedford, which has held more than 20 events over the previous five months. One event the previous weekend had 250 attendees. There was discussion on the application for the cultural district designation and the items that have to be in place. These include demonstrating the City is attracting artists and cultural enterprises to the community; addressing the specific needs of the community; establishing tourism destinations; and preserving, restoring and using historic buildings. The idea behind the cultural district is arts and culture to support economic development. Some items are not currently in place including the survey from Kimley-Horn for the cultural district, and the Old Bedford School is under repairs. The consensus of the Commission was to postpone the application to allow things to get in place in 2017 and then to move forward in 2018. The Commission wants to put much more focus on specifically meeting the criteria of the Texas Commission on the Arts. When Bedford started this process several years ago, there were only six cities that had the cultural district designation, and now there are 24. The criteria have increased and the process is more demanding, so the Commission did not want to take the chance of getting rejected again.

✓ **Investment Committee – Councilmember Turner**

Councilmember Turner reported that City's portfolio has been seeing an improvement. There are two accounts, each of which has approximately \$30M in it. The portfolio is very conservatively managed, with the first emphasis on the safety and security of the funds, and the City has to adhere to certain regulations. There has been an increase in returns, with the State Water Implementation Fund for Texas (SWIFT) account returning 43 basis points and the General Fund account returning 52 basis points.

✓ **Library Advisory Board - Councilmember Farco**

Councilmember Steve Farco reported that the Library's new operating system is up and running. On Halloween, staff dressed up as storybook characters.

✓ **Parks and Recreation Board - Councilmember Sartor**

Councilmember Sartor reported that the dog park is now open. He recognized Board Member Randy Newby in attendance, who brought forth the idea of an all-inclusive park where children with handicaps and physical disabilities can play alongside other children, and both enjoy the equipment. The Board will be looking for funding for such a park outside of the City's tax base.

✓ **Teen Court Advisory Board - Councilmember Gebhart**

Councilmember Gebhart reported that the Board continues to work with the teen court process itself and to plan for the next gala, which is their major fundraiser, as well as other separate year-round fundraising approaches.

✓ **Senior Citizen Liaison - Councilmember Turner**

Councilmember Turner reported that the Senior Center Holiday Lunch will be on Friday, December 9, 2016.

24. Council member Reports

Councilmember Turner shared Councilmember Fisher's sentiment about Ms. Richardson and seconded his recommendation for renaming the Animal Shelter.

Councilmember Farco thanked staff for all they do, including those with Police, Fire, and Public Works departments who will be working on Thanksgiving. He thanked Council for all they do because they love the City. He wished everybody a happy Thanksgiving.

Councilmember Sartor thanked the staff and volunteers of the City.

Mayor Griffin reported that the Library Foundation held their ChristmasFest the previous Saturday and he thanked Library Director Maria Redburn, her staff, and the members of the Foundation who participated and helped making the event a success. He further thanked those that attended the event.

Councilmember Champney stated that David Moon asked it be announced he will hold his ChristmasFest on December 3, 2016 at the Boys Ranch and extended an invitation to Council.

25. City Manager/Staff Reports

City Manager Roger Gibson thanked Councilmember Fisher for his kind words and recognition of Ms. Richardson. He stated the new festival stage has arrived and will be displayed at the tree lighting ceremony on December 2, 2016. On behalf of staff, he extended a happy Thanksgiving to everybody.

26. Take any action necessary as a result of the Executive Session.

Item #8 was voted on during the Regular Session.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 7:50 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary